IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25720 of 2008
GAURAB, SON OF SRI SATYENDRA SINGH, R/V SABDALPUR, P.S. MADHDUMPUR, JEHANABAD----------PETITIONER.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.
WITH
Cr.Misc. No.29432 of 2008
DEEPAK KUMAR @ CHANDAN, SON OF RAM SWEAK CHOUDHARY, R/M NEW GODAM PANTTI, P.S. MUFFASIL, DISTRICT GAYA----------PETITIONER.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.
Cr.Misc. No.28071 of 2008
RISHI BHUSHAN SHARMA, SON OF SUDAMA SINGH, R/V AKOPUR, P.S. RAMPUR CHAURAM, DISTRICT ARWAL----------PETITIOENR.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.

For the Petitioners : M/S Krishna Pd. Singh(Sr. Adv.) , Dinu Kumar, Jay Kumar, Advocates.
For the Opposite Party : Mr. Nityanand Tiwary, APP.

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05. 08.12.2008. Heard learned counsel for the petitioners and the State.

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Petitioners in three applications are accused in a case under Section 364A of the Penal Code, which was registered against unknown miscreants. Petitioner Gaurab is alleged to have arranged telephonic conversation between the victim and his father. Petitioner Deepak Kumar @ Chandan has played an active part in the abduction of the victim boy. Such allegation has transpired from 164 Cr.P.C. statement of the victim. In the circumstances, I am not inclined to release Gaurab and Deepak Kumar @ Chandan on bail and their prayer for bail are accordingly, rejected.

So far petitioner Rishi Bhushan Sharma is concerned, he has been made accused as he is also resident of the same village wherefrom the victim boy was recovered and further has been named along with one Chandan in the 161 Cr. P.C. statement of the victim

boy as one who along with Chandan and others used to guard the victim boy. Said Chandan has already been admitted to the privilege of bail by another bench of this court. It is also submitted that the antecedent of Rishi Bhushan Sharma is absolutely clean, which fact be verified by the court below and if found correct then petitioner, namely, Rishi Bhushan Sharma be released on bail on furnishing bail bond of Rs.5,000/-(Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Gaya Muffasil P.S. Case No. 74 of 2007.

Petitioner Gaurab is in jail custody for more than one year, in the circumstances, court below(C.J.M, Gaya) is directed to commit the case(Mufassil P.S. Case No. 74 of 2007) to the court of sessions if not already committed and thereafter trial be concluded as yearly as possible, in any case within a period of one year from the date of commitment.

Let a copy of this order be forwarded to the court below as also to the S.P. Gaya and the Office in Charge concerned for production of witnesses on every date fixed by the office of this Court through fax.

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(V.N.Sinha, J)

Rajesh/